

ESTTA Tracking number: **ESTTA770177**

Filing date: **09/12/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	?What If! Holdings Limited
Granted to Date of previous extension	09/14/2016
Address	The Glassworks3-4 Ashland Place London, W1M 3JH UNITED KINGDOM

Domestic Representative	J. Alison Grabell Partner Brutzkus Gubner LLP 21650 Oxnard Street Suite 500 Woodlnd Hills, CA 91367 UNITED STATES agrabell@brutzkusgubner.com, sbroffman@brutzkusgubner.com Phone:818-827-9000
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Applicant Information

Application No	86704061	Publication date	05/17/2016
Opposition Filing Date	09/12/2016	Opposition Period Ends	09/14/2016
Applicant	Martina E. Faulkner 110 Abingdon Avenue Kenilworth, IL 60043 UNITED STATES		


Goods/Services Affected by Opposition

Class 041. First Use: 2015/06/04 First Use In Commerce: 2015/06/04 All goods and services in the class are opposed, namely: Educational services, namely, conducting training, seminars, workshops, lectures, speeches, classes and educational retreats in the fields of self-help counseling, relationships, mental, physical and spiritual wellness, personal motivation and inspiration, and dissemination of written, video and audio study and exercise materials in connection therewith; Educational services for the certification of professionals, namely, providing training, workshops, lectures, speeches, classes and seminars in the field of self-help counseling, relationships, mental physical and spiritual wellness, personal motivation and inspiration and dissemination of written, video and audio study and exercise materials in connection therewith
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3303030	Application Date	05/24/2001
Registration Date	10/02/2007	Foreign Priority Date	NONE
Word Mark	?WHAT IF!		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 2001/03/00 First Use In Commerce: 2001/03/00 printed publications, namely, books in the field of marketing, design, innovation and creativity</p> <p>Class 035. First use: First Use: 1994/03/00 First Use In Commerce: 1994/03/00 business marketing services for others;business management, consultation, information, and research services for others in the field of advertising, promotionof the goods and services of others, and marketing; conducting marketing studies; marketing research studies; business marketing consultation; organizing business exhibitions, trade shows, and conferences in the fields of marketing, design, innovation and creativity; advertisingagency services, namely, production, preparation and dissemination of advertising and material and marketing data for others; providing business advice and business information; preparing business reports; business consultation in the field of e-commerce; business consultation for others in the field of marketing, design, innovation and creativity; businessconsultation in the nature of consultation and business advice to help inventors and entrepreneurs develop their invention ideas</p> <p>Class 041. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 publishing services, namely, publication of books, magazines, journals, newsletters and periodicals in the field of marketing, design, innovation and creativity; radio and television programs, videotape, and audio recording and production,all in the field of advertising, marketing and e-commerce; educational services, namely, providing seminars, classes, workshops and distance learning in the field of marketing, design, innovation andcreativity, and distribution of educational materials in connection therewith; consulting services in the fields of radio, television and electronic programs, video and audio recording and production, publishing, and education, all in the field of advertising, marketing and e-commerce; providing on-line, non-downloadable publications in the form of books, magazines[, journals], newsletters and periodicals in the field of marketing, innovation and creativity; and entertainment and educational services in the natureof providing interviews</p>		

U.S. Registration No.	3684988	Application Date	04/04/2008
Registration Date	09/22/2009	Foreign Priority	NONE

		Date	
Word Mark	?WHAT IF! TOPDOG		
Design Mark			
Description of Mark	<p>The mark consists of the words "WHAT IF" and "TopDog", with the words "WHAT IF" preceded by a question mark, and succeeded by an exclamation point, and with the terms "?WHAT" and "IF!" each being displayed against different, contrasting grounds, inside adjacent boxes, above the term "TopDog".</p>		
Goods/Services	<p>Class 016. First use: First Use: 0 First Use In Commerce: 0 [printed matter and printed publications, namely, books and printed teaching material, all relating to marketing, design, innovation and creativity and none relating to entertainment]</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 [marketing; business management, business assistance, business advice, business appraisals, business evaluations, business consultancy, business information and research relating to advertising, promotion or marketing; marketing studies; market research; marketing strategy services; sales promotion for others; interviewing for market research and other business purposes, namely, interviewing for the purposes of obtaining business and business management information and advice; arranging, organizing and conducting exhibitions, conferences and seminars for advertising, promotional or marketing purposes; promotional services; advertising; rental of advertising space; media buying; production, dissemination and distribution of advertising material; preparation and placing of advertisements; publication of publicity texts; dissemination of marketing data; reprographic services; production of advertisements and commercials; production of programmes, films, video and audio recordings for publicity, marketing and advertising purposes; business advisory and consultancy services; preparation of business reports; business management assistance; business consultation in the field of e-commerce; business advisory services relating to the exploitation of inventions; professional consultancy services relating to advertising, marketing or promotion; interviewing for educational purposes, namely, business consultation regarding identification of business objectives and opportunities, marketing activities and launching of new products, and improvement of business processes]</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 education services, namely, providing seminars, classes, workshops and distance learning in the field of marketing, design, innovation and creativity; provision of training; provision of courses of instruction; arranging and conducting seminars; educational demonstration services; publication of non-downloadable on-line electronic publications in the nature of books, magazines, journals, newsletters and periodicals for educational purposes; providing information relating to education to be browsed on the Internet; electronic publication services in the field of education; advisory, consultancy and information services relating to the aforesaid services; all relating to marketing, design, innovation and creativity</p>		

U.S. Registration No.	3995888	Application Date	05/24/2010
Registration Date	07/19/2011	Foreign Priority Date	NONE
Word Mark	?WHAT IF! TRAINING		
Design Mark	?WHAT IF! TRAINING		
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Education in the nature of providing seminars, courses of instruction, classes, workshops and distance learning courses in the field of marketing, design, innovation and creativity; provision of training in the fields of marketing, design, innovation and creativity; practical training related to demonstration of products and techniques for educational purposes in the field of marketing, design, innovation and creativity; educational services, namely, providing training for interviewers in the field of interview technique, and interviewing individuals in the presence of an audience; providing non-downloadable on-line electronic publications in the nature of magazines, books, manuals and teaching materials for educational purposes in the field of marketing, design, innovation and creativity; providing information relating to education to be browsed on the Internet; publishing of electronic publications in the field of education; advisory, consultancy and information services relating to the provision of seminars, courses of instruction, classes, workshops and distance learning courses in the field of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the provision of training in the fields of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the demonstration of products and techniques for educational purposes in the field of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the training of interviewers in the field of interview technique and interviewing individuals in the presence of an audience; advisory, consultancy and information services relating to the provision of non-downloadable on-line electronic publications in the nature of magazines, books, manuals and teaching materials for educational purposes in the field of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the provision of information on education on the Internet; advisory, consultancy and information services relating to the publication of electronic publications in the field of education</p>		

U.S. Registration No.	4612423	Application Date	08/21/2013
Registration Date	09/30/2014	Foreign Priority Date	NONE
Word Mark	?WHAT IF!		
Design Mark	?WHAT IF!		

Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer software for creating and monitoring frameworks for product and business innovation and development; computer software for e-learning in the fields of business and organizational structure and management, marketing, design, innovation and creativity; computer software for use in collating, organizing and disseminating data in the fields of marketing, design, innovation and creativity; downloadable electronic publications in the nature of software manuals, e-learning software manuals, and magazines, newsletters, books and e-zines in the fields of marketing, design, innovation and creativity

Attachments	76261897#TMSN.png(bytes) 77440308#TMSN.png(bytes) 79085892#TMSN.png(bytes) 86043875#TMSN.png(bytes) What If Notice of Opposition.pdf(4821629 bytes) What If NOO Exs.pdf(534564 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Signature	/J. Alison Grabell/
Name	J. Alison Grabell
Date	09/12/2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

?What If! Holdings Limited,)	Opposition No.:
)	
Opposer,)	Mark: What if . . ?
)	
v.)	Serial No.: 86704061
)	
Martina E. Faulkner,)	Filing Date: July 24, 2015
)	
Applicant.)	Date of Publication: May 17, 2016
)	

NOTICE OF OPPOSITION

?What If! Holdings Limited (“Opposer” or “?What If!”), a United Kingdom company, believes it will be damaged by the registration of the mark What if . . ? shown in United States Trademark Application Serial No. 86704061, filed by Martina E. Faulkner (“Applicant” or “Faulkner”), and published for opposition in the *Official Gazette* on May 17, 2016; and hereby opposes the same.

The grounds for opposition are as follows:

1. Opposer is the world’s largest independent innovation company, with offices in the United States and internationally. Opposer has been a leader in the corporate innovation field since 1992.
2. Commencing long prior to Applicant’s filing date, Opposer has and is now engaged in interstate commerce in the business of advising clients on innovation in products, services, branding and personnel and in creating branding strategies. Opposer invents new products, brands, services and business models, and helps its corporate clients build their in-house innovation and branding capabilities across a wide spectrum of industries, including but not limited to automotive, banking and financial services, beauty and

fashion, consumer goods, energy, food and beverage, healthcare, media and entertainment, retail, technology and telecommunications, travel and hospitality.

3. Opposer provides, *inter alia*, educational and publishing services, including publishing services, namely, publication of books, magazines, journals, newsletters and periodicals in the field of marketing, design, innovation and creativity; radio and television programs, videotape, and audio recording and production, all in the field of advertising, marketing and e-commerce; educational services, namely, providing seminars, classes, workshops and distance learning in the field of marketing, design, innovation and creativity, and distribution of educational materials in connection therewith; consulting services in the fields of radio, television and electronic programs, video and audio recording and production, publishing, and education, all in the field of advertising, marketing and e-commerce; providing on-line, non-downloadable publications in the form of books, magazines, newsletters and periodicals in the field of marketing, innovation and creativity.
4. Commencing long prior to Applicant's filing date, Opposer has used and is now using in interstate commerce Opposer's ?WHAT IF! trademarks ("Opposer's Marks") in connection with providing, *inter alia*, educational and publishing services, including publishing services, namely, publication of books, magazines, journals, newsletters and periodicals in the field of marketing, design, innovation and creativity; radio and television programs, videotape, and audio recording and production, all in the field of advertising, marketing and e-commerce; educational services, namely, providing seminars, classes, workshops and distance learning in the field of marketing, design, innovation and creativity, and distribution of educational materials in connection

therewith; consulting services in the fields of radio, television and electronic programs, video and audio recording and production, publishing, and education, all in the field of advertising, marketing and e-commerce; providing on-line, non-downloadable publications in the form of books, magazines, newsletters and periodicals in the field of marketing, innovation and creativity.

5. Opposer is the owner of, and will rely in the Opposition on, the following federal trademark registrations:

<u>MARK</u>	<u>REG. NO.</u>	<u>REG. DATE</u>
?WHAT IF!	3303030	October 2, 2007
?WHAT IF! TopDog	3684988	September 22, 2009
?WHAT IF! TRAINING	3995888	July 19, 2011
?WHAT IF!	4612423	September 30, 2014

6. Opposer's Registration No. 3303030 identifies the goods and services as "printed publications, namely, books in the field of marketing, design, innovation and creativity", in International Class 16; business marketing services for others; business management, consultation, information, and research services for others in the field of advertising, promotion of the goods and services of others, and marketing; conducting marketing studies; marketing research studies; business marketing consultation; organizing business exhibitions, trade shows, and conferences in the fields of marketing, design, innovation and creativity; advertising agency services, namely, production, preparation and dissemination of advertising and material and marketing data for others; providing business advice and business information; preparing business reports; business consultation in the field of e-commerce; business consultation for others in the field of

marketing, design, innovation and creativity; business consultation in the nature of consultation and business advice to help inventors and entrepreneurs develop their invention ideas,” in International Class 35; and “publishing services, namely, publication of books, magazines, journals, newsletters and periodicals in the field of marketing, design, innovation and creativity; radio and television programs, videotape, and audio recording and production, all in the field of advertising, marketing and e-commerce; educational services, namely, providing seminars, classes, workshops and distance learning in the field of marketing, design, innovation and creativity, and distribution of educational materials in connection therewith; consulting services in the fields of radio, television and electronic programs, video and audio recording and production, publishing, and education, all in the field of advertising, marketing and e-commerce; providing on-line, non-downloadable publications in the form of books, magazines[, journals], newsletters and periodicals in the field of marketing, innovation and creativity; and entertainment and educational services in the nature of providing interviews,” in International Class 41. Registration No. 3303030 is incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. § 1065. A copy of the Certificate of Registration is attached hereto as **Exhibit 1** and made of record. Such registration is valid and subsisting, and is conclusive evidence of Opposer’s exclusive right to use Opposer’s Mark in commerce in connection with the services specified in Registration No. 3303030.

7. Opposer’s Registration No. 3684988 identifies the goods and services as “education services, namely, providing seminars, classes, workshops and distance learning in the field of marketing, design, innovation and creativity; provision of training; provision of courses of instruction; arranging and conducting seminars; educational demonstration

services; publication of non-downloadable on-line electronic publications in the nature of books, magazines, journals, newsletters and periodicals for educational purposes; providing information relating to education to be browsed on the Internet; electronic publication services in the field of education; advisory, consultancy and information services relating to the aforesaid services; all relating to marketing, design, innovation and creativity,” in International Class 41. Registration No. 3684988 is incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. § 1065. A copy of the Certificate of Registration is attached hereto as **Exhibit 2** and made of record. Such registration is valid and subsisting, and is conclusive evidence of Opposer’s exclusive right to use Opposer’s Mark in commerce in connection with the services specified in Registration No. 3684988.

8. Opposer’s Registration No. 3995888 identifies the services as “education in the nature of providing seminars, courses of instruction, classes, workshops and distance learning courses in the field of marketing, design, innovation and creativity; provision of training in the fields of marketing, design, innovation and creativity; practical training related to demonstration of products and techniques for educational purposes in the field of marketing, design, innovation and creativity; educational services, namely, providing training for interviewers in the field of interview technique, and interviewing individuals in the presence of an audience; providing non-downloadable on-line electronic publications in the nature of magazines, books, manuals and teaching materials for educational purposes in the field of marketing, design, innovation and creativity; providing information relating to education to be browsed on the Internet; publishing of electronic publications in the field of education; advisory, consultancy and information

services relating to the provision of seminars, courses of instruction, classes, workshops and distance learning courses in the field of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the provision of training in the fields of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the demonstration of products and techniques for educational purposes in the field of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the training of interviewers in the field of interview technique and interviewing individuals in the presence of an audience; advisory, consultancy and information services relating to the provision of non-downloadable on-line electronic publications in the nature of magazines, books, manuals and teaching materials for educational purposes in the field of marketing, design, innovation and creativity; advisory, consultancy and information services relating to the provision of information on education on the Internet; advisory, consultancy and information services relating to the publication of electronic publications in the field of education,” in International Class 41. A copy of the Certificate of Registration is attached hereto as **Exhibit 3** and made of record. Such registration is valid and subsisting, and is evidence of Opposer’s exclusive right to use Opposer’s Mark in commerce in connection with the services specified in Registration No. 3995888.

9. Opposer’s Registration No. 4612423 identifies the goods as “computer software for creating and monitoring frameworks for product and business innovation and development; computer software for e-learning in the fields of business and organizational structure and management, marketing, design, innovation and creativity; computer software for use in collating, organizing and disseminating data in the fields of

marketing, design, innovation and creativity; downloadable electronic publications in the nature of software manuals, e-learning software manuals, and magazines, newsletters, books and e-zines in the fields of marketing, design, innovation and creativity,” in International Class 9. A copy of the Certificate of Registration is attached hereto as **Exhibit 4** and made of record. Such registration is valid and subsisting, and is evidence of Opposer’s exclusive right to use Opposer’s Mark in commerce in connection with the goods specified in Registration No. 4612423.

10. Opposer will also rely on its common law rights arising from its use of Opposer’s Marks, commencing long prior to Applicant’s filing date, on and in connection with the goods and services as set forth in paragraphs 5 through 8, above.
11. Since its first use of Opposer’s Marks, and commencing long prior to Applicant’s filing date, Opposer has made a substantial investment in advertising and promoting its goods and services under Opposer’s Marks. Opposer has extensively used, advertised, promoted and offered Opposer’s goods and services bearing the “WHAT IF!” mark to the public through various channels of trade in commerce, such that Opposer’s clients and the public in general have come to know and recognize Opposer’s Marks and associate them with Opposer and/or with goods and/or services sold and/or offered by Opposer. Opposer has accrued extensive goodwill in connection the sales and offering of its goods and services under Opposer’s Marks.
12. Upon information and belief, notwithstanding Opposer’s rights in and to Opposer’s Marks, on July 24, 2015, Applicant filed an application to register the alleged trademark “What if . . . ?” for “Educational services, namely, conducting training, seminars, workshops, lectures, speeches, classes and educational retreats in the fields of self-help counseling,

relationships, mental, physical and spiritual wellness, personal motivation and inspiration, and dissemination of written, video and audio study and exercise materials in connection therewith; Educational services for the certification of professionals, namely, providing training, workshops, lectures, speeches, classes and seminars in the field of self-help counseling, relationships, mental physical and spiritual wellness, personal motivation and inspiration and dissemination of written, video and audio study and exercise materials in connection therewith,” in International Class 41 (“Applicant’s Mark”). The application was assigned Serial No. 86704061 (the “’061 Application”) and was published for opposition in the *Official Gazette* on May 17, 2016.

13. Applicant’s Mark is a simulation and colorable imitation of, and so resembles Opposer’s Marks as to be likely, when used in connection with Applicant’s services, to cause confusion or mistake or to deceive purchasers resulting in damage and detriment to Opposer and its long-established reputation.
14. Upon information and belief, Opposer and Applicant are both engaged in the business of providing their respective services through the same or related channels of trade and to the same general class of customers and clients.
15. Upon information and belief, Opposer alleges that its customers and clients, and the public in general, are likely to be confused, mistaken or deceived as to the origin and sponsorship of Applicant’s goods to be marketed under Applicant’s What if . . ? mark and misled into believing that such services are offered by, emanate from or are in some way directly or indirectly associated with Opposer, to the damage and detriment of Opposer and its reputation.

16. Upon information and belief, Opposer alleges that it will be damaged by the registration of Applicant's What if . . ? mark, as set forth in the '061 Application, in that Applicant's mark is substantially similar to Opposer's Marks and common law rights and is used in connection with services identical or related to the goods and services offered by Opposer to the same general class of customers.

17. Opposer's Marks are famous. Applicant's use and registration of the What if . . ? mark is likely to cause dilution of Opposer's famous Marks and to dilute the value of Opposer's Marks.

WHEREFORE, Opposer believes and alleges that it is being and will continue to be damaged by registration of the '061 Application, and prays that said Application Serial No. 86704061 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Dated: September 12, 2016

Respectfully submitted,

BRUTZKUS GUBNER LLP



By:

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Attorneys for Opposer
?What If! Holdings Limited

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of September, 2016, the foregoing **NOTICE OF OPPOSITION** was served upon counsel for Applicant via e-mail, as agreed upon between counsel, addressed as follows:

Julianne M. Hartzell, Esq.
Marshall Gerstein & Borun LLP
233 S. Wacker Dr., # 6300
Chicago, IL 60606

E-mail: jhartzell@marshallip.com



Dated: September 12, 2016

Sheri Lee Broffman

EXHIBIT 1

Int. Cls.: 16, 35, and 41

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101,
102, and 107

United States Patent and Trademark Office

Reg. No. 3,303,030

Registered Oct. 2, 2007

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

?WHAT IF!

?WHAT IF! HOLDINGS LIMITED (UNITED
KINGDOM PRIVATE LIMITED COMPANY)
THE GLASSWORKS
3-4 ASHLAND PLACE
LONDON, UNITED KINGDOM W1M 3JH

FOR: PRINTED PUBLICATIONS, NAMELY,
BOOKS IN THE FIELD OF MARKETING, DESIGN,
INNOVATION AND CREATIVITY, IN CLASS 16
(U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 3-0-2001; IN COMMERCE 3-0-2001.

FOR: BUSINESS MARKETING SERVICES FOR
OTHERS; BUSINESS MANAGEMENT, CONSULTA-
TION, INFORMATION, AND RESEARCH SER-
VICES FOR OTHERS IN THE FIELD OF
ADVERTISING, PROMOTION OF THE GOODS
AND SERVICES OF OTHERS, AND MARKETING;
CONDUCTING MARKETING STUDIES; MARKET-
ING RESEARCH STUDIES; BUSINESS MARKET-
ING CONSULTATION; ORGANIZING BUSINESS
EXHIBITIONS, TRADE SHOWS, AND CONFEREN-
CES IN THE FIELDS OF MARKETING, DESIGN,
INNOVATION AND CREATIVITY; ADVERTISING
AGENCY SERVICES, NAMELY, PRODUCTION,
PREPARATION AND DISSEMINATION OF AD-
VERTISING AND MATERIAL AND MARKETING
DATA FOR OTHERS; PROVIDING BUSINESS AD-
VICE AND BUSINESS INFORMATION; PREPAR-
ING BUSINESS REPORTS; BUSINESS
CONSULTATION IN THE FIELD OF E-COM-
MERCE; BUSINESS CONSULTATION FOR OTHERS
IN THE FIELD OF MARKETING, DESIGN, INNO-
VATION AND CREATIVITY; BUSINESS CONSUL-
TATION IN THE NATURE OF CONSULTATION
AND BUSINESS ADVICE TO HELP INVENTORS
AND ENTREPRENEURS DEVELOP THEIR INVEN-
TION IDEAS, IN CLASS 35 (U.S. CLS. 100, 101 AND
102).

FIRST USE 3-0-1994; IN COMMERCE 3-0-1994.

FOR: PUBLISHING SERVICES, NAMELY, PUB-
LICATION OF BOOKS, MAGAZINES, JOURNALS,
NEWSLETTERS AND PERIODICALS IN THE FIELD
OF MARKETING, DESIGN, INNOVATION AND
CREATIVITY; RADIO AND TELEVISION PRO-
GRAMS, VIDEOTAPE, AND AUDIO RECORDING
AND PRODUCTION, ALL IN THE FIELD OF AD-
VERTISING, MARKETING AND E-COMMERCE;
EDUCATIONAL SERVICES, NAMELY PROVIDING
SEMINARS, CLASSES, WORKSHOPS AND DIS-
TANCE LEARNING IN THE FIELD OF MARKET-
ING, DESIGN, INNOVATION AND CREATIVITY,
AND DISTRIBUTION OF EDUCATIONAL MATE-
RIALS IN CONNECTION THEREWITH; CONSULT-
ING SERVICES IN THE FIELDS OF RADIO,
TELEVISION AND ELECTRONIC PROGRAMS, VI-
DEO AND AUDIO RECORDING AND PRODUC-
TION, PUBLISHING, AND EDUCATION, ALL IN
THE FIELD OF ADVERTISING, MARKETING AND
E-COMMERCE; PROVIDING ON-LINE, NON-
DOWNLOADABLE PUBLICATIONS IN THE FORM
OF BOOKS, MAGAZINES, JOURNALS, NEWS LET-
TERS AND PERIODICALS IN THE FIELD OF
MARKETING, INNOVATION AND CREATIVITY;
AND ENTERTAINMENT AND EDUCATIONAL
SERVICES IN THE NATURE OF PROVIDING IN-
TERRUIEWS, IN CLASS 41 (U.S. CLS. 100, 101 AND
107).

FIRST USE 0-0-1999; IN COMMERCE 0-0-1999.

SN 76-261,897, FILED 5-24-2001.

MICHAEL KEATING, EXAMINING ATTORNEY

EXHIBIT 2

United States of America

United States Patent and Trademark Office

?WHAT IF!
TopDog

Reg. No. 3,684,988 ?WHAT IF! HOLDINGS LIMITED (UNITED KINGDOM PRIVATE LIMITED COMPANY)
Registered Sep. 22, 2009 THE GLASSWORKS, 3-4 ASHLAND PLACE
LONDON, UNITED KINGDOM W1U4AH

Int. Cls.: 16, 35 and 41 FOR: PRINTED MATTER AND PRINTED PUBLICATIONS, NAMELY, BOOKS AND PRINTED TEACHING MATERIAL, ALL RELATING TO MARKETING, DESIGN, INNOVATION AND CREATIVITY AND NONE RELATING TO ENTERTAINMENT, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

FOR: MARKETING; BUSINESS MANAGEMENT; BUSINESS ASSISTANCE; BUSINESS ADVICE; BUSINESS APPRAISALS; BUSINESS EVALUATIONS; BUSINESS CONSULTANCY; BUSINESS INFORMATION AND RESEARCH RELATING TO ADVERTISING, PROMOTION OR MARKETING; MARKETING STUDIES; MARKET RESEARCH; MARKETING STRATEGY SERVICES; SALES PROMOTION FOR OTHERS; INTERVIEWING FOR MARKET RESEARCH AND OTHER BUSINESS PURPOSES, NAMELY, INTERVIEWING FOR THE PURPOSES OF OBTAINING BUSINESS AND BUSINESS MANAGEMENT INFORMATION AND ADVICE; ARRANGING, ORGANIZING AND CONDUCTING EXHIBITIONS, CONFERENCES AND SEMINARS FOR ADVERTISING, PROMOTIONAL OR MARKETING PURPOSES; PROMOTIONAL SERVICES; ADVERTISING; RENTAL OF ADVERTISING SPACE; MEDIA BUYING; PRODUCTION, DISSEMINATION AND DISTRIBUTION OF ADVERTISING MATERIAL; PREPARATION AND PLACING OF ADVERTISEMENTS; PUBLICATION OF PUBLICITY TEXTS; DISSEMINATION OF MARKETING DATA; REPROGRAPHIC SERVICES; PRODUCTION OF ADVERTISEMENTS AND COMMERCIALS; PRODUCTION OF PROGRAMMES, FILMS, VIDEO AND AUDIO RECORDINGS FOR PUBLICITY, MARKETING AND ADVERTISING PURPOSES; BUSINESS ADVISORY AND CONSULTANCY SERVICES; PREPARATION OF BUSINESS REPORTS; BUSINESS MANAGEMENT ASSISTANCE; BUSINESS CONSULTATION IN THE FIELD OF E-COMMERCE; BUSINESS ADVISORY SERVICES RELATING TO THE EXPLOITATION OF INVENTIONS; PROFESSIONAL CONSULTANCY SERVICES RELATING TO ADVERTISING, MARKETING OR PROMOTION; INTERVIEWING FOR EDUCATIONAL PURPOSES, NAMELY, BUSINESS CONSULTATION REGARDING IDENTIFICATION OF BUSINESS OBJECTIVES AND OPPORTUNITIES, MARKETING ACTIVITIES AND LAUNCHING OF NEW PRODUCTS, AND IMPROVEMENT OF BUSINESS PROCESSES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).



David J. Kappas

Director of the United States Patent and Trademark Office

FOR: EDUCATION SERVICES, NAMELY, PROVIDING SEMINARS, CLASSES, WORKSHOPS AND DISTANCE LEARNING IN THE FIELD OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; PROVISION OF TRAINING; PROVISION OF COURSES OF INSTRUCTION; ARRANGING AND CONDUCTING SEMINARS; EDUCATIONAL DEMONSTRATION SERVICES; PUBLICATION OF NON-DOWNLOADABLE ON-LINE ELECTRONIC PUBLICATIONS IN THE NATURE OF BOOKS, MAGAZINES, JOURNALS, NEWSLETTERS AND PERIODICALS FOR EDUCATIONAL PURPOSES; PROVIDING INFORMATION RELATING TO EDUCATION TO BE BROWSED ON THE INTERNET; ELECTRONIC PUBLICATION

Reg. No. 3,684,988 SERVICES IN THE FIELD OF EDUCATION; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE AFORESAID SERVICES; ALL RELATING TO MARKETING, DESIGN, INNOVATION AND CREATIVITY, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

OWNER OF UNITED KINGDOM REG. NO. 2328398B, DATED 12-24-2004, EXPIRES 4-3-2013.

OWNER OF U.S. REG. NO. 3,303,030.

THE MARK CONSISTS OF THE WORDS "WHAT IF" AND "TOPDOG", WITH THE WORDS "WHAT IF" PRECEDED BY A QUESTION MARK, AND SUCCEEDED BY AN EXCLAMATION POINT, AND WITH THE TERMS "?WHAT" AND "IF!" EACH BEING DISPLAYED AGAINST DIFFERENT, CONTRASTING GROUNDS, INSIDE ADJACENT BOXES, ABOVE THE TERM "TOPDOG".

SER. NO. 77-440,308, FILED 4-4-2008.

ANDREA HACK, EXAMINING ATTORNEY

EXHIBIT 3

United States of America

United States Patent and Trademark Office

?WHAT IF! TRAINING

Reg. No. 3,995,888

Registered July 19, 2011

Int. Cl.: 41

SERVICE MARK

PRINCIPAL REGISTER

?WHAT IF! HOLDINGS LTD (UNITED KINGDOM LIMITED COMPANY)
THE GLASSWORKS
3-4 ASHLAND PLACE
LONDON, UNITED KINGDOM W1U 4AH

FOR: EDUCATION IN THE NATURE OF PROVIDING SEMINARS, COURSES OF INSTRUCTION, CLASSES, WORKSHOPS AND DISTANCE LEARNING COURSES IN THE FIELD OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; PROVISION OF TRAINING IN THE FIELDS OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; PRACTICAL TRAINING RELATED TO DEMONSTRATION OF PRODUCTS AND TECHNIQUES FOR EDUCATIONAL PURPOSES IN THE FIELD OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; EDUCATIONAL SERVICES, NAMELY, PROVIDING TRAINING FOR INTERVIEWERS IN THE FIELD OF INTERVIEW TECHNIQUE, AND INTERVIEWING INDIVIDUALS IN THE PRESENCE OF AN AUDIENCE; PROVIDING NON-DOWNLOADABLE ON-LINE ELECTRONIC PUBLICATIONS IN THE NATURE OF MAGAZINES, BOOKS, MANUALS AND TEACHING MATERIALS FOR EDUCATIONAL PURPOSES IN THE FIELD OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; PROVIDING INFORMATION RELATING TO EDUCATION TO BE BROWSED ON THE INTERNET; PUBLISHING OF ELECTRONIC PUBLICATIONS IN THE FIELD OF EDUCATION; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE PROVISION OF SEMINARS, COURSES OF INSTRUCTION, CLASSES, WORKSHOPS AND DISTANCE LEARNING COURSES IN THE FIELD OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE PROVISION OF TRAINING IN THE FIELDS OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE DEMONSTRATION OF PRODUCTS AND TECHNIQUES FOR EDUCATIONAL PURPOSES IN THE FIELD OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE TRAINING OF INTERVIEWERS IN THE FIELD OF INTERVIEW TECHNIQUE AND INTERVIEWING INDIVIDUALS IN THE PRESENCE OF AN AUDIENCE; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE PROVISION OF NON-DOWNLOADABLE ON-LINE ELECTRONIC PUBLICATIONS IN THE NATURE OF MAGAZINES, BOOKS, MANUALS AND TEACHING MATERIALS FOR EDUCATIONAL PURPOSES IN THE FIELD OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE PROVISION OF INFORMATION ON EDUCATION ON THE INTERNET; ADVISORY, CONSULTANCY AND INFORMATION SERVICES RELATING TO THE PUBLICATION OF ELECTRONIC PUBLICATIONS IN THE FIELD OF EDUCATION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).



THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF INTERNATIONAL REGISTRATION 1047168 DATED 5-24-2010, EXPIRES 5-24-2020.

David J. Kappas

Director of the United States Patent and Trademark Office

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TRAINING", APART FROM THE MARK AS SHOWN.

SER. NO. 79-085,892, FILED 5-24-2010.

Reg. No. 3,995,888 JULIE VEPPUMTHARA, EXAMINING ATTORNEY

EXHIBIT 4

United States of America

United States Patent and Trademark Office

?WHAT IF!

Reg. No. 4,612,423

Registered Sep. 30, 2014

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

?WHAT IF! HOLDINGS LIMITED (UNITED KINGDOM PRIVATE LIMITED COMPANY)
THE GLASSWORKS, 3-4 ASHLAND PLACE
LONDON W1U 4AH, UNITED KINGDOM

FOR: COMPUTER SOFTWARE FOR CREATING AND MONITORING FRAMEWORKS FOR PRODUCT AND BUSINESS INNOVATION AND DEVELOPMENT; COMPUTER SOFTWARE FOR E-LEARNING IN THE FIELDS OF BUSINESS AND ORGANIZATIONAL STRUCTURE AND MANAGEMENT, MARKETING, DESIGN, INNOVATION AND CREATIVITY; COMPUTER SOFTWARE FOR USE IN COLLATING, ORGANIZING AND DISSEMINATING DATA IN THE FIELDS OF MARKETING, DESIGN, INNOVATION AND CREATIVITY; DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF SOFTWARE MANUALS, E-LEARNING SOFTWARE MANUALS, AND MAGAZINES, NEWSLETTERS, BOOKS AND E-ZINES IN THE FIELDS OF MARKETING, DESIGN, INNOVATION AND CREATIVITY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF ERPN CMNTY TM OFC REG. NO. 5246541, DATED 8-2-2007, EXPIRES 8-8-2016.

OWNER OF U.S. REG. NOS. 3,303,030, 3,684,988, AND 3,995,888.

SER. NO. 86-043,875, FILED 8-21-2013.

ALEXANDER L. POWERS, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office